

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 93-176-C - ORDER NO. 93-1136✓
DECEMBER 15, 1993

IN RE: Southern Bell Revisions to General Subscriber Service Tariff and Private Line Service Tariff to Introduce Area Plus Service.) ORDER GRANTING) LEAVE TO TAKE) ORAL DEPOSITION) OF WITNESSES) IN PART
--	---

This matter comes before the Public Service Commission of South Carolina (the Commission) pursuant to the request of MCI Telecommunications Corporation (MCI), AT&T Communications of the Southern States, Incorporated (AT&T), and LDDS of Carolina, Incorporated (LDDS) (collectively known as the Companies), who request, pursuant to Rule 103-852 of the Rules of Practice and Procedure of the Commission that leave be granted to take the testimony by oral deposition of certain witnesses.

The Companies request leave to take depositions of all persons identified in response to items 1 and 2 of the first set of joint interrogatories to BellSouth Telecommunications, Incorporated DBA Southern Bell Telephone and Telegraph Company and also of each person who approved participation in the Area Calling Plan Principles Agreement dated March 12, 1993 for each company. MCI, AT&T, and LDDS set out the facts sought to be established by the depositions in their request, as is required by our Rule 103-852.

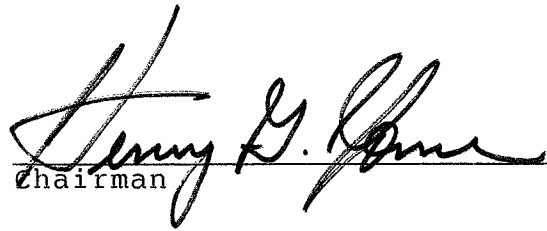
In response to this request, Southern Bell Telephone and

Telegraph (Southern Bell) takes the position that it would make available any witness for deposition for whom testimony is filed on its behalf in the case at a mutually agreed upon date and time. Southern Bell also noted that any approval of the request for leave to take oral depositions of witnesses should be so limited. Southern Bell further states in its response that it objected to the request in so far as it calls for depositions for unspecified persons who are not employees of Southern Bell, Southern Bell particularly objecting to the request to take the deposition of each representative of the 28 local exchange companies who participated in the agreement.

The Commission has examined this matter and believes that the request should be granted only in part, as the request to take depositions encompasses numerous persons. The Commission believes that the Companies should be allowed leave to take oral depositions of the signatories to the Area Calling Plan Principles Agreement dated March 12, 1993, and the oral depositions of any witnesses that Southern Bell may plan to present at the remand hearing on this matter. Otherwise, the Commission believes that the request of the Companies is overbroad and, further, is unnecessary to establish the facts stated in its Motion. The Commission does believe, however, that should MCI, AT&T, and LDDS require additional depositions, the names proposed to be deposed may be filed with the Commission for further consideration under Rule 103-852.

It should be noted that the depositions of the signatories of the Area Calling Plan Principles Agreement and the Southern Bell witnesses may be done at such mutually agreeable times as the parties may establish. This Order shall remain in full force and effect until further Order of the Commission.

IT IS SO ORDERED.


Chairman

ATTEST:


Deputy Executive Director

(SEAL)